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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/085,310
Filing Date: February 28, 2002
Appellant(s): FRASER ET AL.

Chad E. Bement
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 6, 2006 appealing from the Office action mailed October 4, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 and 17-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriconi et al. (USPN 6590547).

Regarding claim 1, Moriconi et al. (hereinafter = Moriconi) teaches a handheld computing device comprising: a processing unit having a communication interface (Fig. 2 (39) & Fig. 4), the processing unit including a first communication interface (Fig 3A (39')) for communication with a visual display unit (13); and a detachable visual display unit (col. 3, lines 23-33 and Fig. 3A(13)), the detachable visual display unit communicatively coupled to the first communication interface (39') by a second communication interface (Fig. 3A (39'')) and col. 3, lines 64-67)); wherein an identifier indicia (Table 1, Fig. 4 (47), col. 5, lines 7-23)) is passed by the second communication interface (Fig. 3A (39'')) and col. 4, lines 34-40) to the processing unit via the first communication interface to indicate to the processing unit the properties of the detachable visual display unit (col. 2, lines 23-32, col. 5, lines 7-15, col. 5, lines 25-43 & Fig. 4(39, 40, 41, 52)).

Moriconi does not specifically teach the use of handheld computing device. However, Moriconi indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook computer (11) (col. 6, lines 35-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Moriconi's notebook computer (11) by altering its dimensional parameters to fit the desired size, as taught by Moriconi.

Furthermore, the limitation in terms of size is a design choice and is not patentably significant as shown *In re Rose*, 105 USPQ 237 (CCPA 1955).

Regarding claim 2, Moriconi teaches the first communication interface includes a wireless communication interface (col. 4, lines 57-59, Fig. 2 (39), and Fig 4 (40, 39). It would have been obvious that the connector (39) for communication can be replaced with any other appropriate type).

Regarding claim 3, Moriconi teaches the detachable visual display unit includes a flat, rigid display (col. 4, lines 62-64).

Regarding claims 4-6, Moriconi teaches that the removable nature of the display is suitable for a variety of display modules to be used in the system (col. 4, lines 41-52). Moriconi also teaches that there are several ways of arranging the circuitry in order to be able to determine different display types and the associated drive requirement (col. 6, lines 36-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the notebook computer (11) shown in Fig. 1 to accommodate any desired type of display as a removable display (13).

Regarding claim 7, Moriconi teaches the detachable visual display unit includes a LCD screen (col. 4, lines 62-64).

Regarding claims 8-13, Moriconi teaches that the removable nature of the display is suitable for a variety of display modules to be used in the system (col. 4, lines 41-52). Moriconi also teaches that there are several ways of arranging the circuitry in order to be able to determine different display types and the associated drive requirement (col. 6, lines 36-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the notebook computer (11) shown in Fig. 1 to accommodate any desired type of display as a removable display (13).

Regarding claim 14, Moriconi teaches the detachable visual display unit includes a color display (col. 6, lines 32-35).

Regarding claim 15, Moriconi teaches a handheld computing device Fig. 1(11) facilitating a detachable visual display unit (col. 3, lines 23-33 and Fig. 3A(13)) comprising: a processing unit (Fig. 1 (19)); a power source (col. 3, lines 66); a communication port (Fig. 2 (39)) for communicating with a detachable visual display unit (col. 3, lines 64-67).

Moriconi does not specifically teach the use of handheld computing device. However, Moriconi indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook computer (11) (col. 6, lines 35-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Moriconi's notebook computer (11) by altering its dimensional parameters to fit the desired size, as taught by Moriconi.

Furthermore, the limitation in terms of size is a design choice and is not patentably significant as shown In re Rose, 105 USPQ 237 (CCPA 1955).

Regarding claim 17, Moriconi teaches the communication port receives information representative of the detachable visual display unit properties based on at least one identifier pin associated with the detachable visual display unit (col. 4, lines 64-67 and col. 4, lines 34-40).

Regarding claim 18, Moriconi teaches the communication port receives information representative of the detachable visual display unit properties based on an identifier signal transmitted by the detachable visual display unit (Table 1, Fig. 4 (39, 47), BIOS queries).

Regarding claim 19, Moriconi teaches the processing unit includes a plurality of display drivers utilized based on the information representative of the properties of the detachable visual

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display unit (See Fig. 6(Load driver routine and executing loaded driver), col. 5, lines 41-43 and col. 3, lines 64-67).

Regarding claim 20, Moriconi teaches the communication port includes a wireless transceiver (col. 4, lines 57-59, Fig. 2 (39), and Fig 4 (40, 39). It would have been obvious that the connector (39) for communication can be replaced with any other appropriate type).

Regarding claim 21, Moriconi teaches the wireless transceiver communicates using the Bluetooth wireless network protocol (col. 4, lines 57-59, Fig. 2 (39), and Fig 4 (40, 39). It would have been obvious that the connector (39) for communication can be replaced with any other appropriate type).

Regarding claim 22, Moriconi teaches a visual display unit for a handheld computing device (Fig. 1 (13)), the visual display unit comprising: a housing detachable from the handheld computing device (col. 3, lines 23-33 Fig. 1 (13, 19) & Fig. 3A(13)); a display screen (Fig 3A (13)); and a communication interface (Fig. 2 (39)) including an identifier indicia (Table 1, Fig. 4 (47), col. 5, lines 7-23)) to indicate to a handheld computing device the properties of the visual display unit (col. 2, lines 23-32, col. 5, lines 7-15, col. 5, lines 25-43 & Fig. 4(39, 40, 41, 52)).

Moriconi does not specifically teach the use of handheld computing device. However, Moriconi indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook

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computer (11) (col. 6, lines 35-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Moriconi's notebook computer (11) by altering its dimensional parameters to fit the desired size, as taught by Moriconi.

Furthermore, the limitation in terms of size is a design choice and is not patentably significant as shown *In re Rose*, 105 USPQ 237 (CCPA 1955).

Regarding claims 23-24, Moriconi teaches that the removable nature of the display is suitable for a variety of display modules to be used in the system (col. 4, lines 41-52). Moriconi also teaches that there are several ways of arranging the circuitry in order to be able to determine different display types and the associated drive requirement (col. 6, lines 36-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the notebook computer (11) shown in Fig. 1 to accommodate any desired type of display as a removable display (13).

Regarding claim 25, Moriconi teaches the display screen is color (col. 6, lines 32-35).

Regarding claim 26, Moriconi teaches a method of displaying data from a handheld computing device Fig. 1 (13) comprising: detecting the properties of a detachable visual display unit communicatively coupled to the handheld computing device (col. 2, lines 23-32, col. 5, lines 7-15, col. 5, lines 25-43 & Fig. 4(39, 40, 41, 52)); updating display drivers based on the detachable visual display unit properties detected; and transmitting data from the handheld

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computing device to the communicatively coupled detachable visual display unit (col. 2, lines 22-32 and Fig. 1 (13, 19)).

Moriconi does not specifically teach the use of handheld computing device. However, Moriconi indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook computer (11) (col. 6, lines 35-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Moriconi's notebook computer (11) by altering its dimensional parameters to fit the desired size, as taught by Moriconi.

Furthermore, the limitation in terms of size is a design choice and is not patentably significant as shown In re Rose, 105 USPQ 237 (CCPA 1955).

Regarding claim 27, Moriconi teaches detecting the properties of a detachable visual display unit includes receiving a signal transmitted by the detachable visual display unit (col. 4, lines 57-67 and col. 5, lines 1-6).

Regarding claim 28, Moriconi teaches bringing the detachable visual display unit into communication with the handheld computer device (col. 3, lines 64-67).

Regarding claim 29, Moriconi teaches: detaching the detachable visual display unit from the handheld computing device (col. 3, lines 23-33 and Fig. 3A(13)).

(10) Response to Argument

Independent claims 1, 15, 22 and 26

Appellant argues that Moriconi does not teach a hand held computing device, and no proper combination of Moriconi with knowledge generally available to one of ordinary skill in the art teaches or suggests a hand held computing device of claims 1-15 and 17-29. The examiner respectfully disagrees with appellant's arguments. Moriconi teaches a notebook computer (11) and indicates that the notebook computer (11) is applicable for portable computers (col. 1, lines 17-19), and alteration and different arrangement can be made with respect to the notebook computer (11) (col. 6, lines 35-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Moriconi's notebook computer (11) by altering its dimensional parameters to fit the desired size, as taught by Moriconi.

In addition, it would have been an obvious matter of a design choice to make Moriconi's portable computer (11) shown in Fig. 1 a handheld device, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art In re Rose, 105 USPQ 237 (CCPA 1955).

Furthermore, in response to applicant's arguments, the recitation "a hand held computing device" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of

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a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Dependent claims 2, 20 and 21

Appellant argues that Moriconi does not teach a wireless communication interface. The examiner respectfully disagrees with appellant's arguments.

Moriconi instead teaches a multi-pin electrical connector 39 (Fig. 2), shown as male part 39' and female part 39'' (Fig. 3). However, because the multi-pin electrical connector and the desired wireless interface were art-recognized equivalents at the time of the invention, one of ordinary skill would have found it obvious to substitute a wireless communication interface for multi-pin electrical connector (39).

Dependent claims 4-5 and 23-24

Appellant argues that Moriconi does not teach flexible, expandable and foldable displays. The examiner respectfully disagrees with appellant's arguments.

Moriconi teaches a display module (13) which could be a flat panel display (43) as shown in Fig. 4 (col. 4, line 62).

It would have been an obvious matter of a design choice to make Moriconi's display module (13) flexible and foldable since such modifications are some of numerous configurations

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a person of ordinary skill in the art would find obvious based on changing a form or shape. See

In re Dailey, 149 USPQ 47 (CCPA 1976).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Abbas abdulselem

Examiner


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May 12, 2006

Conferees:

Richard Hjerpe

Michael Razavi

Handwritten signatures of Richard Hjerpe and Michael Razavi.Handwritten signature of Richard Hjerpe.

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